



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

### HB1248

by Rep. Jehan A. Gordon-Booth

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/6-19.5 new	
10 ILCS 5/6A-1	from Ch. 46, par. 6A-1
10 ILCS 5/6A-2	from Ch. 46, par. 6A-2
10 ILCS 5/6A-4	from Ch. 46, par. 6A-4
10 ILCS 5/6A-5	from Ch. 46, par. 6A-5

Amends the Election Code. Permits the establishment of a county board of election commissioners, by referendum initiated by the county board, in a county with a population of less than 200,000 but more than 175,000 persons that has a municipality with a municipal board of election commissioners. Provides that, upon the opening of the office of county board of election commissioners, the county clerk and any municipal board of election commissioners in the county shall turn over to the county board any unused appropriations related to elections or the holding of elections in the county. Provides that a county board of election commissioners that supersedes a municipal board of election commissioners shall be composed of 5 members appointed by the circuit court of the county, at least 2 members shall reside in the municipality and shall be selected from the 2 leading political parties of the State, and at least 2 members shall reside outside of the municipality but within the county and shall be selected from the 2 leading political parties of the State. Provides that the annual budget of a county board of election commissioners shall be determined by the county board of that county. Effective immediately.

LRB098 07295 HLH 37358 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 "Section 5. The Election Code is amended by changing  
5 Sections 6A-1, 6A-2, 6A-4, and 6A-5 and by adding Section  
6 6-19.5 as follows:

7 (10 ILCS 5/6-19.5 new)

8 Sec. 6-19.5. Rejection of Article by superseding county  
9 board of election commissioners. In addition to any other  
10 method of rejection provided in this Article, when a county  
11 board of election commissioners is established in accordance  
12 with subsection (b) of Section 6A-1 in a county in which is  
13 located any portion of a municipality with a municipal board of  
14 election commissioners, the application of the provisions of  
15 this Article to the territory of that municipality located  
16 within that county is rejected.

17 (10 ILCS 5/6A-1) (from Ch. 46, par. 6A-1)

18 Sec. 6A-1. Adoption of Article.

19 (a) Any county in which there is no city, village or  
20 incorporated town with a board of election commissioners may  
21 establish a county board of election commissioners either (1)  
22 by ordinance of the county board or (2) by vote of the electors

1 of the county in accordance with subsection (a) of Section  
2 6A-2.

3 The fact that some territory in a county is within the  
4 corporate limits of a city, village or incorporated town with a  
5 board of election commissioners does not prevent that county  
6 from establishing a county board of election commissioners in  
7 accordance with this Article if no portion of such city,  
8 village or incorporated town was within the county at the time  
9 of the establishment of the board of election commissioners for  
10 such city, village or incorporated town. If such a county  
11 establishes a county board of election commissioners pursuant  
12 to this Article, the county board of election commissioners  
13 shall, with respect to the territory in the county within the  
14 corporate limits of the city, village or incorporated town,  
15 supersede the board of election commissioners of that city,  
16 village or incorporated town.

17 (b) Any county with a population of less than 200,000 but  
18 more than 175,000 persons as of the 2010 federal census in  
19 which a city, village, or incorporated town with a board of  
20 election commissioners is located may establish a county board  
21 of election commissioners by vote of the electors of the county  
22 in accordance with subsection (b) of Section 6A-2. If such a  
23 county establishes a county board of election commissioners,  
24 the county board of election commissioners, with respect to the  
25 territory in the county within the corporate limits of the  
26 city, village, or incorporated town, shall supersede the board

1 of election commissioners of that city, village, or  
2 incorporated town.

3 (Source: P.A. 81-1433.)

4 (10 ILCS 5/6A-2) (from Ch. 46, par. 6A-2)

5 Sec. 6A-2. Submission to voters.

6 (a) Whenever registered voters in a ~~the~~ county described in  
7 subsection (a) of Section 6A-1, numbering at least 1,000 or 1/8  
8 of the number voting at the last preceding general election in  
9 the county, whichever is less, petition the circuit court to  
10 submit to the electors of the county a proposition to establish  
11 a county board of election commissioners, the circuit court  
12 shall cause such proposition to be submitted to the electors of  
13 the county at the next succeeding general election.

14 (b) After approval and certification by the county board of  
15 a county described in subsection (b) of Section 6A-1, the  
16 proposition to establish a county board of election  
17 commissioners shall be submitted to the electors of that county  
18 at the next possible general election.

19 (c) The proposition shall be submitted in the same manner  
20 as provided in Article 6 for the adoption of Articles 6, 14 and  
21 18 by cities, villages and incorporated towns, except that the  
22 question shall be stated: "Shall a board of election  
23 commissioners be established for .... County?"

24 (Source: P.A. 78-465.)

1 (10 ILCS 5/6A-4) (from Ch. 46, par. 6A-4)

2 Sec. 6A-4. Transfer of records. Upon the opening of the  
3 office of the county board of election commissioners, the  
4 county clerk and any municipal board of election commissioners  
5 in the county shall turn over to such county board all registry  
6 books, registration record cards, poll books, tally sheets and  
7 ballot boxes and all other books, forms, blanks and stationery  
8 of every description in the clerk's or municipal board's  
9 possession ~~his hands~~ in any way relating to elections or the  
10 holding of elections in the county and any unused  
11 appropriations related to elections or the holding of elections  
12 in the county. Thereupon, all functions, powers and duties of  
13 the county clerk, ~~or~~ the county board, or the municipal board  
14 relating to elections in that county are transferred to the  
15 county board of election commissioners.

16 (Source: P.A. 78-465.)

17 (10 ILCS 5/6A-5) (from Ch. 46, par. 6A-5)

18 Sec. 6A-5. The provisions of Articles 6, 14 and 18 of this  
19 Act relating to boards of election commissioners in cities,  
20 villages and incorporated towns shall, insofar as they can be  
21 made applicable, apply to and govern county boards of election  
22 commissioners established pursuant to this Article. For a  
23 county described in subsection (b) of Section 6A-1, the board  
24 of election commissioners shall be composed of 5 members  
25 appointed by the circuit court of the county, at least 2

1 members shall reside in the municipality that had a board of  
2 election commissioners superseded by subsection (b) of Section  
3 6A-1 and shall be selected from the 2 leading political parties  
4 of the State, one from each of those parties, and at least 2  
5 members shall reside outside of such municipality but within  
6 the county and shall be selected from the 2 leading political  
7 parties of the State, one from each of those parties. A deputy  
8 registrar serving as such by virtue of his status as a  
9 municipal clerk, or a duly authorized deputy of a municipal  
10 clerk, of a municipality the territory of which lies in more  
11 than one county, where one such county is governed by a county  
12 board of election commissioners established pursuant to this  
13 Article, may accept the registration of any qualified resident  
14 of the municipality, regardless of which county the resident,  
15 municipal clerk or the duly authorized deputy of the municipal  
16 clerk lives in. The annual budget for a county board of  
17 election commissioners shall be determined by the county board  
18 of that county. However, the county board, in fixing the  
19 compensation of the members of the county board of election  
20 commissioners and of the executive director and assistant  
21 executive director, is not subject to the limitations of  
22 Section 6-70 and may provide for either an annual salary or a  
23 per diem compensation.

24 (Source: P.A. 85-958.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.